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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA
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12 JAMES EMMETT FARR,

13 Plaintiff,

14 v.

15 DANIEL PARAMO, Warden, et al.,

16 Defendants.
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Case No.: 16-CV-1279 JLS (MSB)

**ORDER DENYING AS MOOT AND
WITHOUT PREJUDICE
PLAINTIFF’S MOTION FOR
RECONSIDERATION OF DENIAL
OF TEMPORARY RESTRAINING
ORDER**

(ECF No. 82)

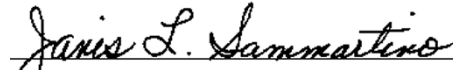
19 Presently before the Court is Plaintiff James Emmett Farr’s “request that this Court
20 revisit Plaintiff[’]s previous motion[] . . . for TRO in which his original motion lists this
21 exact situational possibility where Plaintiff is removed of his legal property, papers, books,
22 and notes, based on a fabricated rules violation.” Mot. for Reconsideration (ECF No. 82)
23 at 4–5. In his original motion, Plaintiff requested an Order restraining Defendants from,
24 among other things, “placing Plaintiff in Administrative Segregation and subsequently
25 depriving him of his legal papers and books” and “falsifying Rules Violation Reports
26 against Plaintiff.” *See* ECF No. 2 at 1.

27 Since Plaintiff filed his Motion for Reconsideration, however, he was transferred
28 from Richard J. Donovan Correctional Facility (“RJD”), where the alleged violations were

1 occurring, to the California State Prison, Los Angeles County in Lancaster, California. *See*
2 ECF No. 83. In the absence of any evidence demonstrating Plaintiff's reasonable
3 expectation of returning to RJD, Plaintiff's Motion for Reconsideration (ECF No. 82) is
4 **DENIED AS MOOT AND WITHOUT PREJUDICE.** *See, e.g., Nunez v. Diaz*, No.
5 119CV00686SABPC, 2019 WL 4127205, at *2 (E.D. Cal. Aug. 30, 2019) (denying as
6 moot motion for temporary restraining order where the plaintiff was transferred to another
7 facility) (citing *Andrews v. Cervantes*, 493, F.3d 1047, 1053 n.5 (9th Cir. 2007); *Johnson*
8 *v. Moore*, 948 F.2d 517, 519 (9th Cir. 1991) (per curiam)); *Canada v. Niebert*, No.
9 117CV00873BAMPC, 2017 WL 4123937, at *2 (E.D. Cal. Sept. 15, 2017) (same) (citing
10 *Johnson*, 948 F.2d at 519).

11 **IT IS SO ORDERED.**

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13 Dated: September 26, 2019


Hon. Janis L. Sammartino
United States District Judge